

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 57th LEGISLATURE - REGULAR SESSION JOINT APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND PUBLIC SAFETY**

**Call to Order:** By **CHAIRMAN STANLEY FISHER**, on January 8, 2001 at 8:00 A.M., in Room 317-A Capitol.

#### **ROLL CALL**

##### **Members Present:**

Rep. Stanley Fisher, Chairman (R)  
Sen. Arnie Mohl, Vice Chairman (R)  
Rep. Tim Callahan (D)  
Sen. Chris Christiaens (D)  
Rep. Jeff Pattison (R)  
Sen. Debbie Shea (D)  
Sen. Tom Zook (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Mary LaFond, OBPP  
Lorene Thorson, Legislative Branch  
Sandra Whitaker, Committee Secretary

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

##### **Committee Business Summary:**

Hearing(s) & Date(s) Posted: Crime Control Division,  
1/5/2001  
Executive Action: Public Service Commission  
Budget

**{Tape : 1; Side : A; Approx. Time Counter : 0}**

#### **EXECUTIVE ACTION ON PUBLIC SERVICE COMMISSION BUDGET**

**Motion/Vote:** SEN. MOHL moved that THE BASE LEVEL OF FUNDING PLUS STATEWIDE PRESENT LAW ADJUSTMENTS (TO INCLUDE DP 699-ADDED VACANCY SAVINGS) FOR THE PUBLIC SERVICE COMMISSION BE ADOPTED.  
Motion carried 7-0.

**Motion:** SEN. ZOOK moved that DP 1 BE ADOPTED as a biennial, restricted line item.

**Discussion:** SEN. ZOOK moved DP 1 be adopted as a restricted line item to be used only for consultant services.

**Motion/Vote:** SEN. ZOOK moved that DP 1 BE ADOPTED. Motion carried 7-0.

**Motion/Vote:** SEN. CHRISTIAENS moved that DP 2 BE ADOPTED. Motion carried 7-0.

**Motion/Vote:** SEN. CHRISTIAENS moved that DP 3 BE ADOPTED. Motion failed 3-4 with Callahan, Christiaens, and Shea voting aye.

**Motion:** SEN. ZOOK moved that DP 4 BE ADOPTED.

**Discussion:** SEN. ZOOK stated it is a fairly new program and hopes the commission would aggressively promote this Universal Access Program.

**Motion/Vote:** SEN. ZOOK moved that DP 4 BE ADOPTED. Motion carried 7-0.

#### **REQUEST FOR ADDITIONAL FUNDS**

**Motion:** SEN. SHEA moved that ADDITIONAL FUNDS FOR TRAVEL BE ADOPTED.

**Discussion:** SEN. CHRISTIAENS felt funds are necessary for new commissioners to travel to attend events and trainings in order to educate themselves and give the Commission all the tools possible to perform their job. REP. PATTISON asked what was spent last year. Ms. Thorson, LFD Staff replied all of the \$48,000 allocated. SEN. ZOOK pointed out this additional amount would increase the amount to \$64,000 was not approved by the budget office.

**Motion/Vote:** SEN. SHEA moved that ADDITIONAL FUNDS FOR TRAVEL BE ADOPTED. Motion failed 3-4 with Callahan, Christiaens, and Shea voting aye.

**Motion:** REP. CALLAHAN moved that the ADDITIONAL FUNDS REQUESTED FOR SALARY UPGRADES BE ADOPTED.

**Discussion:** Ms. LaFond, OBPP Representative, pointed out that these positions were not vacant and were included in the budget office's snapshot but due to the upgrades, an additional amount of money is needed. She also stated the position of the Budget Office is not to support requests for additional funds.

**Motion/Vote:** REP. CALLAHAN moved that **ADDITIONAL FUNDS FOR SALARY UPGRADES BE ADOPTED. Motion carried 7-0.**

At that point **CHAIRMAN FISHER** closed the hearing on the Public Service Commission.

**HEARING ON THE CRIME CONTROL BOARD**

**{Tape : 1; Side : A; Approx. Time Counter : 226}**

**{Tape : 1; Side : B; Approx. Time Counter : 1}**

**{Tape : 2; Side : A; Approx. Time Counter : 1}**

**Mr. Jim Oppedahl, Executive Director, Montana Board of Crime Control** presented an overview of the Board's activities and responsibilities and their budget request with an overhead presentation. Committee members asked a few questions for clarification during the presentation. **Mr. Oppedahl** also included copies of the annual report.

**EXHIBIT(jch05a01)**

**EXHIBIT(jch05a02)**

During the presentation the following items were discussed briefly:

Training for staff in the Juvenile Detention Centers is different than for adult criminals.

A total of 18 people are appointed to the Montana Board of Crime Control and at the present time there are 11 vacancies. These people are victim advocates from around the state who serve as an advisory task force only to the Board.

When federal funds are available in the form of declining grants, it is usually matched by local community funds. When those federal funds fade out, many times so do the programs.

Fingerprint identification by paper previously took as long as 6-8 weeks to identify. Now with the computer system it take can take as little as two hours.

The Crime Control Division would like Juvenile Detention state funding grants function to be administered by another agency such as the Department of Corrections. It may take a bill to change those duties.

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Crime victims may be helped with expenses up to a maximum of \$25,000; however, the average is 1,840. There was a large backlog of cases to process. The Board's goal is to become as current as possible--being able to determine qualification in as little as 45 days. This will take additional permanent staff.

Vacancy savings is a big concern for the Board due to their small size of 21 people.

Block grants are pass through money administered by the Board.

The Board was asked to move to a private building from the Capitol complex which causes lease payments to be an increased amount. Lease payments to the private sector are becoming more of a problem as government outgrows the Capitol area.

The Division would like to lease new cars instead of using Montana Highway Patrol cars given to them with 100,000 miles already on them. The Board feels older cars are not as safe on the highway and much of the staff's work involves travel to other cities.

That ended the overhead presentation and **Mr. Oppedahl** entertained questions from the committee.

***{Tape : 2; Side : B; Approx. Time Counter : 1}***

**SEN. CHRISTIAENS** asked if any amount of money was withheld in the grant passthrough situations for administration and if the administration of those funds ever became more than staff could handle. **Mr. Oppedahl** replied a small percent is in the personal services budget on the federal side, it is about 5%. Right now current staff can handle it but as it grows another FTE may be necessary.

The FTE for the Crime Victims' Compensation was taken out of the general fund in the amount of \$32,000; however, the Crime Control Board offered an alternative method of funding the 1 FTE by taking it out of their benefits section. This was approved by OBPP.

**SEN. SHEA** complimented the Board on their fine PowerPoint presentation.

**CHAIRMAN FISHER** asked how we started with Crime Victims' Compensation. **Mr. Oppedahl** responded it started during President Reagan's administration. It was found crime victims withdraw from the community if not given aid financially and/or

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emotionally. Originally it was funded in Montana with 18% of the Montana Highway Patrol fines. In 1995 it was put in the general fund.

**Ms. LaFond** stated the Computer Crime Unit is very necessary due to the large increase in computer crime instances. They are looking to establish a permanent computer crime unit under Mike Batista and the Criminal Investigation Board.

**SEN. CHRISTIAENS** asked if the issue of moving agencies out of the Capitol complex and paying higher rates for leasing office space should be addressed by the Dept of Administration. Possibly that increased lease amount should be included in the Dept of Administration's budget.

**REP. PATTISON** asked for clarification on the training that takes place in the Residential Substance Abuse Training (DP 9). Mr. Oppedahl replied because of federal guidelines, it is limited mostly to the Pine Hills' Correctional Institution for prisoners with long-term substance abuse. It is a six-month program.

**CHAIRMAN FISHER** asked for further explanation on the pass through grant monies. **Mr. Dan Merritt, Montana Board of Crime Control** responded the grants are usually awarded for 3 years which spans state fiscal years; therefore, they require continuing authority.

**CHAIRMAN FISHER** closed the hearing.

**CHAIRMAN FISHER** reminded everyone of the tour for Military Affairs on Thursday, January 11, at 7:30.

**Mr. Oppedahl** distributed copies of the 2000 Directory of Criminal Justice Agencies in Montana.

**EXHIBIT(jch05a03)**

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**ADJOURNMENT**

Adjournment: 9:50 A.M.

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REP. STANLEY FISHER, Chairman

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SANDRA WHITAKER, Secretary

SF/SW

**EXHIBIT** (jch05aad)